

AMENDED IN ASSEMBLY APRIL 19, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2469

Introduced by Assembly Member Evans

(Coauthors: Assembly Members Baca, Bass, Berg, Calderon, Dymally, Frommer, Garcia, Goldberg, Jerome Horton, Jones, Karnette, Laird, Lieber, Lieu, Matthews, Negrete McLeod, Pavley, Ridley-Thomas, and Wolk)

(Coauthors: Senators Cedillo, Denham, and Soto)

February 23, 2006

An act to add Sections 12300.3 and 12300.4 to the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2469, as amended, Evans. In-home supportive services and personal care services: funding.

Existing law provides for the In-Home Supportive Services (IHSS) program, under which, either through employment by the recipient, or by or through contract by the county, qualified aged, blind, and disabled persons receive services enabling them to remain in their own homes. Counties are responsible for the administration of the IHSS program. Existing law also provides for the Medi-Cal program, administered by the State Department of Health Services, under which qualified low-income persons are provided with health care services. Services known as personal care option services, and that are similar to those provided under the IHSS program, are provided to certain Medi-Cal recipients. Various IHSS program requirements, including those relating to the manner in which each county may provide in-home supportive services, are applicable to the provision of

personal care option services. Under existing law, the state and county share the annual cost of providing in-home supportive services and personal care services.

Under existing law, the Controller allocates specified funds, commonly referred to as realignment revenues, from the Local Revenue Fund to counties, for the purpose of financing various programs for the provision of services for needy persons.

This bill, notwithstanding existing law, would require the state to annually pay a county with 250,000 persons or fewer, upon submission of a claim, amounts previously paid by the county for the provision of in-home supportive services and personal care services during a current or prior fiscal year, for which the county is awaiting reimbursement from realignment revenues. It would provide that the state would be repaid from certain future realignment revenues due to the county for caseload growth, for that portion of the amount paid to the county that is attributable to caseload growth.

This bill would authorize any county to repay its general fund amounts previously expended by the county on caseload growth that were not previously reimbursed from realignment funds.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares as follows:
- 2 (a) Counties are currently awaiting reimbursement for a
- 3 portion of the in-home supportive services caseload growth that
- 4 occurred, and was paid for by counties, in ~~2003–04~~ 2002–03.
- 5 (b) The delay in reimbursement to counties of realignment
- 6 revenues to cover the cost of caseload growth for in-home
- 7 supportive services has caused small counties to suffer financial
- 8 hardship.
- 9 (c) It is appropriate for the state to ameliorate this hardship by
- 10 advancing the funds necessary to cover the full cost of the
- 11 In-Home Supportive Services program, against future
- 12 realignment revenues.
- 13 SEC. 2. Section 12300.3 is added to the Welfare and
- 14 Institutions Code, to read:
- 15 12300.3. (a) Notwithstanding Section 12306 or any other
- 16 provision of law, the Controller shall annually advance from the

1 General Fund to a county with a population of 250,000 or fewer
2 that makes a claim under this section, an amount equal to the
3 share of cost for provision by the county of in-home supportive
4 services and personal care services, *and IHSS Plus waiver*
5 *services* for either or both of the following:

6 (1) A prior fiscal year, for which the county is awaiting an
7 allocation from realignment revenues.

8 (2) The current fiscal year, from the county's anticipated
9 realignment revenue allocation.

10 (b) In order to receive a payment under this section, an eligible
11 county shall present a claim to the state. A county that elects to
12 make a claim for payment under this section shall provide the
13 state with appropriate documentation in support of its claim.

14 (c) Notwithstanding any other provision of law, an amount
15 equal to that portion of a payment made pursuant to subdivision
16 (a) that is attributable to caseload growth shall be repaid to the
17 state from any future allocation due to the county from the Sales
18 Tax Growth Account of the Local Revenue Fund that is
19 attributable to caseload growth for services provided under this
20 chapter *and under Sections 14132.95 and 14132.951. Nothing in*
21 *this subdivision shall authorize repayment to the state in any*
22 *year of more than the amount of caseload growth enumerated for*
23 *the county for in-home supportive services, personal care*
24 *services, or IHSS Plus waiver services, in the allocations*
25 *schedule developed annually by the Department of Finance in*
26 *consultation with the California State Association of Counties,*
27 *pursuant to subparagraph (A) of paragraph (1) of subdivision (b)*
28 *of Section 17605.*

29 SEC. 3. Section 12300.4 is added to the Welfare and
30 Institutions Code, to read:

31 12300.4. Any county that receives an allocation from the
32 Sales Tax Growth Account of the Local Revenue Fund may
33 repay its general fund from that allocation for any amount
34 previously expended by the county to make up a shortfall as a
35 result of caseload growth for services provided under this
36 chapter, which was not previously reimbursed from Sales Tax
37 Growth Account allocations.

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